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15 Specially Appearing for Defendants VENETIAN
16 CASINO RESORT, LLC; LAS VEGAS SANDS, LLC,
17 and LAS VEGAS SANDS CORP.

11
12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14
15 JONATHAN BROWNING, INC., a California
16 corporation,

17 Plaintiff,

18 v.

19 VENETIAN CASINO RESORT, LLC., a Nevada
20 limited liability company; LAS VEGAS SANDS,
21 LLC, a Nevada limited liability company; LAS
22 VEGAS SANDS CORP., a Nevada corporation; and
23 DOES 1 through 100, inclusive,

24 Defendant.

Case No.: C 07-3983 JSW

**DECLARATION OF FRANKLIN H.
LEVY IN SUPPORT OF
DEFENDANTS' MEMORANDUM OF
POINTS AND AUTHORITIES RE
MOTION TO DISMISS**

Date: November 2, 2007
Time: 9:00 am

Complaint Filed: August 2, 2007
Judge: Jeffrey S. White
Courtroom: 2, 17th floor

25 I, Franklin H. Levy, declare:
26
27
28

1 1. I am Special Counsel to the Venetian Casino Resort, LLC. I have personal
2 knowledge of the matters stated herein, and if called as a witness, I could and would testify
3 competently to them.

4 2. I submit this declaration in support of Defendants' Memorandum of Points and
5 Authorities in Support of Motion to Dismiss.

6 3. The Venetian Casino Resort LLC is a Nevada limited liability company with its
7 principal place of business in the State of Nevada.

8 4. The Venetian Casino Resort LLC does not own any property in California.

9 5. The Venetian Casino Resort LLC does not maintain any bank accounts in California.

10 6. The Venetian Casino Resort LLC does not pay California taxes.

11 7. The Venetian Casino Resort LLC does not have any offices in California.

12 8. The Venetian Casino Resort LLC does not have any employees or agents in
13 California.

14 9. The Venetian Casino Resort LLC does not have a registered agent for service of
15 process in California.

16 10. It is my understanding that the pertinent records of the Venetian Casino Resort LLC's
17 human resources department indicate that the Venetian Casino Resort LLC does not employ anyone
18 by the name of Aileen Pauco.

19 11. The Venetian Casino Resort LLC cannot find any record of requesting a bid from
20 Jonathan Browning, Inc. for wall sconces.

21 12. I have read the Jonathan Browning, Inc. complaint ("Complaint") and am familiar
22 with the claims and facts alleged therein.

23 13. Based on the allegations and facts in the Complaint, I believe that a large number of
24 potential witnesses on behalf of the Venetian Casino Resort LLC would be located in the State of
25 Nevada.

26 14. The evidence supporting the Venetian Casino Resort LLC's defenses, including its
27 records and employees, is predominately located in Nevada.

